Remarks

Claims 1-41 remain in this application. Claim 18 has been amended to correct typographical errors. No other claims have been amended. Reconsideration of the claims in view of the above amendments and the following remarks is respectfully requested.

Rejections under 35 U.S.C. § 102

Claims 1-41 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,681,252 to Schuster, et al. ("Schuster"). These rejections are respectfully traversed.

Claim 1 recites:

"A method of setting up a multi-user communication session over a global computer network, comprising:

sending a session participation request message from a first user to a second user, the session participation request message including the first user's QoS requirements for the session;

receiving a negotiating message from the second user by the first user in response to the session participation request message, the negotiation message including the second user's QoS requirements for the session responsive to the first user's QoS requirements;

determining resource availability in access networks of the first and second users according to the second user's QoS requirements;

reserving resources in the respective access networks of the first and second users in response to resources being available to achieve the second user's QoS requirements; and

sending an acknowledgement message from the first user to the second user in response to receiving the negotiating message to indicate the completion of QoS provisioning."

MPEP § 2131 provides that "[t]o anticipate a claim, the reference must teach **every** element of the claim...." (emphasis added) However, Schuster does not teach or suggest the quality of service ("QoS") requirements as set forth in claim 1.

In claim 1, the session participation request message includes "the first user's QoS requirements for the session;" the negotiating message includes "the second user's QoS requirements for the session responsive to the first user's QoS requirements;" resource

availability of the access networks is determined "according to the second user's QoS requirements;" reserving resources in the access networks is "in response to resources being available to achieve the second user's QoS requirements;" and the acknowledgement message indicates "the completion of QoS provisioning." Schuster is devoid of such teachings. In fact, a careful reading and examination of the entire reference does not yield any discussion of the QoS requirements as provided in claim 1. Therefore, for this mutually exclusive reason, the rejection is not supported by the Schuster reference and should be withdrawn.

The Examiner pointed to Figs. 1-2; Col. 9, line 43 – Col. 10, line 57; Col. 11, lines 22-44; Col. 11, lines 23-47; Col. 17, lines 14-56; and Col. 18, lines 8-22 of Schuster for supporting the rejection of claim 1. However, none of these locations referenced by the Examiner teach or suggest the claim.

For example, the examiner cites Col. 11, lines 22-44; Col. 17, lines 14-56; and Col. 18, lines 8-22 of Schuster as anticipating the elements of claim 1 that require "determining resource availability in access networks of the first and second users according to the second user's QoS requirements" and "reserving resources in the respective access networks of the first and second users in response to resources being available to achieve the second user's QoS requirements." However, Schuster at Col. 11, lines 22-44 discusses generally that "[t]he purpose of the signaling stack in the exemplary data network telephone [] is to set up, manage, and tear down a call" and recognizes that "[t]he signaling protocol used in the data network telephone [] of FIG. 3 is the SIP protocol." Schuster at Col. 17, lines 14-56 discusses generally "how PID data from a PID application can be passed from one PID to another PID" in session initiation protocol ("SIP"). Schuster at Col 18, lines 8-22 states that "[t]he PID data in FIG. 7 can take a variety of forms" and that "[t]he media description for the media stream can be defined during connection setup to establish a connection appropriate to the type of data being transferred." Neither the locations cited by the Examiner nor the remainder of the reference discuss "determining resource availability" or "reserving of resources" as provided in claim 1. Therefore, for this mutually

exclusive reason, the rejection is not supported by the Schuster reference and should be withdrawn.

Claims 2-7 depend on or further limit claim 1 and are therefore allowable over Schuster for the same mutually exclusive reasons.

Claim 8 recites:

> "A method of setting up an e-gaming session over a global computer network, comprising:
> sending a session participation request message from a first player to a second player via first game server, the session participation request message including the first player's QoS requirements for the session;
> receiving a negotiating message from the second player via a second game server by the first player in response to the session participation request message, the negotiation message including the second player's QoS requirements for the session responsive to the first user's QoS requirements;
> determining resource availability in the first player's access network according to the second player's QoS requirements and reserving resources in the first player's access network in response to resources being available to achieve the second player's QoS requirements; and
> sending an acknowledgement message from the first player directly to the second player in response to receiving the negotiating message to indicate the completion of QoS provisioning."

MPEP § 2131 provides that "[t]o anticipate a claim, the reference must teach **every** element of the claim...." (emphasis added) However, Schuster does not teach or suggest the quality of service ("QoS") requirements as set forth in claim 8.

In claim 8, the session participation request message includes "the first player's QoS requirements for the session;" the negotiation message includes "the second player's QoS requirements for the session responsive to the first player's QoS requirements;" resource availability is determined "according to the second player's QoS requirements;" resources are reserved "in response to resources being available to achieve the second player's QoS requirements;" and the acknowledgement message indicates "the completion of QoS provisioning." Schuster is devoid of such teachings. In fact, a careful reading and examination of the entire reference does not yield any discussion of the QoS requirements as provided in

claim 8. Therefore, for this mutually exclusive reason, the rejection is not supported by the Schuster reference and should be withdrawn.

The Examiner pointed to Fig. 2; Fig. 7; Col. 7, lines 19-30; Col. 8, lines 14-17; Col. 8, lines 23-61; Col 8, line 50 – Col. 9, line 36; Col. 11, lines 22-44; Col. 11, lines 23-47; Col. 17, lines 14-56; and Col. 18, lines 8-22 of Schuster for supporting the rejection of claim 8. However, none of these locations referenced by the Examiner teach or suggest the claim.

For example, the examiner cites Col. 11, lines 22-44; Col. 17, lines 14-56; and Col. 18, lines 8-22 of Schuster as anticipating the elements of claim 8 that require "determining resource availability in the first player's access network according to the second player's QoS requirements and reserving resources in the first player's access network in response to resources being available to achieve the second player's QoS requirements." However, Schuster at Col. 11, lines 22-44 discusses generally that "[t]he purpose of the signaling stack in the exemplary data network telephone [] is to set up, manage, and tear down a call" and recognizes that "[t]he signaling protocol used in the data network telephone [] of FIG. 3 is the SIP protocol." Schuster at Col. 17, lines 14-56 discusses generally "how PID data from a PID application can be passed from one PID to another PID" in session initiation protocol ("SIP"). Schuster at Col 18, lines 8-22 states that "[t]he PID data in FIG. 7 can take a variety of forms" and that "[t]he media description for the media stream can be defined during connection setup to establish a connection appropriate to the type of data being transferred." Neither the locations cited by the Examiner nor the remainder of the reference discuss "determining resource availability" or "reserving of resources" as provided in claim 8. Therefore, for this mutually exclusive reason, the rejection is not supported by the Schuster reference and should be withdrawn.

Claims 9-17 depend on or further limit claim 8 and are therefore allowable over Schuster for the same mutually exclusive reasons.

<u>Claim 18</u> recites:

"A multi-user communication system over a global computer network, comprising:

a first server onto which a first user is logged;

a first policy server in communication with the first server;

a second server onto which the second user is logged;

a second policy server in communication with the second server;

the first user sending a session participation request message to the second user via the first and second servers, the session participation request message including the first user's QoS requirements for the session;

the second user sending a negotiating message to the second server in response to receiving the session participation request message, the negotiation message including the second user's QoS requirements for the session responsive to the first user's QoS requirements;

the second policy server determining resource availability in the second user's access network according to the second user's QoS requirements and reserving resources in the second user's access network in response to resources being available to achieve the second user's QoS requirements;

forwarding the negotiating message from the second server to the first server;

the first policy server determining resource availability in the first user's access network according to the second user's QoS requirements and reserving resources in the first user's access network in response to resources being available to achieve the second user's QoS requirements;

forwarding the negotiating message from the first server to the first user; and

sending an acknowledgement message directly from the first user to the second user in response to receiving the negotiating message to indicate the completion of QoS provisioning."

MPEP § 2131 provides that "[t]o anticipate a claim, the reference must teach **every** element of the claim...." (emphasis added) However, Schuster does not teach or suggest the quality of service ("QoS") requirements as set forth in claim 18.

In claim 18, the session participation request message includes "the first user's QoS requirements for the session;" the negotiation message includes "the second user's QoS requirements for the session responsive to the first user's QoS requirements;" resource availability in the second user's access network is determined "according to the second user's QoS requirements;" resources are reserved in the second user's access network "in response to resources being available to achieve the second user's QoS requirements;" "resource availability

in the first user's access network is determined "according to the second user's QoS requirements;" resources are reserved in the first user's access network "in response to resources being available to achieve the second user's QoS requirements;" and the acknowledgement message indicates "the completion of QoS provisioning." Schuster is devoid of such teachings. In fact, a careful reading and examination of the entire reference does not yield any discussion of the QoS requirements as provided in claim 18. Therefore, for this mutually exclusive reason, the rejection is not supported by the Schuster reference and should be withdrawn.

The Examiner pointed to Fig. 2; Fig. 7; Col. 7, lines 19-30; Col. 8, lines 14-17; Col. 8, lines 23-61; Col 8, line 50 – Col. 9, line 36; Col. 11, lines 22-44; Col. 11, lines 23-47; Col. 17, lines 14-56; and Col. 18, lines 8-22 of Schuster for supporting the rejection of claim 18. However, none of these locations referenced by the Examiner teach or suggest the claim.

For example, the examiner cites Col. 11, lines 22-44; Col. 17, lines 14-56; and Col. 18, lines 8-22 of Schuster as anticipating the elements of claim 18 that require "the second policy server determining resource availability in the second player's access network according to the second user's QoS requirements and reserving resources in the second user's access network in response to resources being available to achieve the second user's QoS requirements" and "the first policy server determining resource availability in the first user's access network according to the second user's QoS requirements and reserving resources in the first user's access network in response to resources being available to achieve the second user's QoS requirements."

However, Schuster at Col. 11, lines 22-44 discusses generally that "[t]he purpose of the signaling stack in the exemplary data network telephone [] is to set up, manage, and tear down a call" and recognizes that "[t]he signaling protocol used in the data network telephone [] of FIG. 3 is the SIP protocol." Schuster at Col. 17, lines 14-56 discusses generally "how PID data from a PID application can be passed from one PID to another PID" in session initiation protocol ("SIP"). Schuster at Col 18, lines 8-22 states that "[t]he PID data in FIG. 7 can take a variety of forms" and that "[t]he media description for the media stream can be defined during connection

setup to establish a connection appropriate to the type of data being transferred." Neither the locations cited by the Examiner nor the remainder of the reference discuss "determining resource availability" or "reserving of resources" as provided in claim 18. Therefore, for this mutually exclusive reason, the rejection is not supported by the Schuster reference and should be withdrawn.

Claims 19-25 depend on or further limit claim 18 and are therefore allowable over Schuster for the same mutually exclusive reasons.

With respect to claims 26, 34, and 38 the Examiner stated that "these claims have similar limitations as claim 1 above. Therefore, they are rejected with the same rationale [as claim 1]." Thus, for reasons similar to those expounded above for claim 1, claims 26, 34, and 38 are not anticipated by the Schuster reference.

Claims 27-33, 35-37, and 39-41 depend on or further limit claims 26, 34, and 38, respectively, and are therefore allowable over Schuster for the same mutually exclusive reasons.

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Conclusion

It is clear from all of the foregoing that claims 1-41 pending in this application are allowable. An early formal notice of allowance of the claims is respectfully requested.
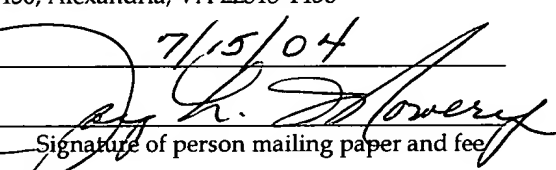
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